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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Attorney Docket No. 100157.149US2)

In re Application of: Glynn

) Examiner: To Be Assigned  
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Serial No. 10/821,696

) Group Art Unit: 2182  
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)  
)

Filing Date: April 9, 2004

For: BALANCED BENCHMARK TOOL FOR A MASS STORAGE SYSTEM

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**CERTIFICATE OF FIRST CLASS MAILING UNDER 37 CFR §1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date below.

8/04/04  
Date

Amanda Ripley  
Amanda Ripley

\*\*\*\*\*

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Dear Sir:

Enclosed for filing in the above-identified patent application please find the following:

1. Information Disclosure Statement (2 pages);
2. Forms PTO-892 (3 Pages Total) Copied From U.S. Patent Application No. 09/542,171;
3. Certificate of First Class Mailing, and;
4. Return Postcard.

No fees are believed to be due in connection with this submission; however, please charge any fees that might be due or credit any overpayment to our Deposit Account No. 08-0219.

Respectfully submitted,

Date: 8-4-04  
WILMER CUTLER PICKERING  
HALE AND DORR LLP  
60 State Street  
Boston, MA 02109  
(617) 526-6000  
(617) 526-5000 (Facsimile)

Rajesh Vallabh  
Rajesh Vallabh, Reg. No. 35,761  
Attorney/Agent for Applicant



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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Pursuant to 37 C.F.R., Applicant submits herewith the attached Forms PTO-892 for filing in the above-referenced application. The present application is a continuation of U.S. Patent Application No. 09/542,171. The Forms PTO-892 attached herewith list references that were already cited by the Examiner of the parent application; therefore, pursuant to 37 C.F.R. § 1.98 (d), no copies of the previously cited art are enclosed. This Information Disclosure Statement is being filed under 37 C.F.R. § 1.97 (b) before the mailing date of the first Office Action, therefore no fee is believed to be due.

This submission does not represent that a search has been made and does not constitute an admission that the listed documents are material to the patentability of the invention, or that the listed documents are prior art. Applicant reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application. If it should be determined that any of the listed documents constitute prior art under United States law, Applicant reserves the right to present to the Office relevant facts and law regarding the significance of such documents to the patentability of the claimed invention.

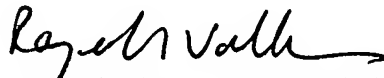
U.S. Patent Application No. 10/821,696  
Information Disclosure Statement  
Page Two

It is respectfully requested that the Examiner initial and return a copy of the enclosed Forms PTO-892 with the next Patent Office communication.

Please charge any fees that might be due in connection with this matter to Deposit Account No. 08-0219. If there are any questions, please call the undersigned at the telephone number indicated below.

Respectfully submitted,

Date: 8-4-04  
WILMER CUTLER PICKERING  
HALE AND DORR LLP  
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